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will be endangered. For the authorities on this subject, see 1 Green, sec. 445, and 3 Taylor Ev., sec. 1432, and Amer. Notes, p. 978³³. The English rule is followed by Massachusetts, New York, Vermont, Texas and Mississippi, and probably others, and we understand that the law colleges of this State have heretofore taught this rule; while the contrary rule is adopted by the United States Supreme Court and followed by Pennsylvania, Wisconsin, Illinois, Indiana, Michigan, California, District of Columbia, and others. Numerically, the American authorities are probably against us, but when many are going wrong the more reason why we should go right.

Bedford City, Va.

CALLOWAY BROWN.

HOMESTEAD EXEMPTION.

Editor Virginia Law Register:

An error of some importance is found in 4 Minor's Institutes, 1001. Mr. Minor says "when the lien of a judgment has attached on land before a homestead is claimed, such lien cannot be claimed whilst the homestead subsists; but after the homestead is abandoned (e. g., by the debtor's ceasing to be a citizen of Virginia), the judgment has priority over a deed of trust executed during the owner's occupancy of the land as a homestead. (*Blose v. Bear*, 87 Va. 177.)" Mr. Minor here simply quotes the syllabus of the case, but the syllabus is utterly wrong. The court simply decided that when land is set apart for a homestead, and at the time when it is set apart, it is subject to a deed of trust and a judgment prior thereto, and afterwards the homestead is lost, matters remain as they were before the homestead was claimed and the judgment still has its priority. This is an entirely different decision from that announced in the syllabus. *Melius est petere fontes, quam sectari rivulos.*

Norfolk, Va.

W. H. SARGEANT, JR.